

AMENDED IN ASSEMBLY MAY 3, 2006
AMENDED IN ASSEMBLY APRIL 20, 2006
AMENDED IN ASSEMBLY APRIL 6, 2006
AMENDED IN ASSEMBLY MARCH 28, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2118

Introduced by Assembly Member Matthews

February 17, 2006

An act to amend Section 40116 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 2118, as amended, Matthews. Solid waste.

The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board and requires the board and local agencies to promote specified waste management practices, in order of priority. Under existing law, the act requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The 1st and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities, except as specified. The act defines terms, including the term “compost.”

This bill would define the terms “composting operation” and “composting facility” for purposes of the act.

The bill would provide that it is not to be interpreted as authorizing the board or enforcement agencies to establish standards or permit terms and conditions over aspects of conversion technology processes that are within the jurisdiction of specified state and local agencies. The bill would provide that the intent of the bill is to develop a definition for ~~“convergent~~ “conversion technology,” as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) It is not the intent of the Legislature in enacting this act to
4 modify the existing limitations on the extent of the authority or
5 jurisdiction of the California Integrated Waste Management
6 Board over matters that are within the authority and jurisdiction
7 of other state agencies. Therefore, this act shall not be interpreted
8 to provide the California Integrated Waste Management Board or
9 enforcement agencies that implement in their local jurisdiction
10 the California Integrated Waste Management Act of 1989
11 (Division 30 (commencing with Section 40000) of the Public
12 Resources Code) with any authority or jurisdiction to establish
13 standards or permit terms and conditions over aspects of
14 conversion technology processes that are within the jurisdiction
15 of the State Air Resources Board, air pollution control districts,
16 and air quality management districts, for the prevention of air
17 pollution, or of the State Water Resources Control Board or
18 California regional water quality control boards, for the
19 prevention of water pollution.

20 (b) It is the intent of the Legislature that conversion
21 technology facilities shall be subject to applicable environmental
22 and health laws and regulations of a local government, or the
23 state or federal government.

24 (c) It is the intent of this bill to develop a definition for
25 ~~“convergent~~ “conversion technology” that is consistent with the
26 declarations in subdivisions (a) and (b).

27 SEC. 2. Section 40116 of the Public Resources Code is
28 amended to read:

1 40116. (a) “Compost” means the product resulting from the
2 controlled biological decomposition of organic wastes that are
3 source separated from the municipal solid waste stream, or that
4 are separated at a centralized facility. “Compost” includes
5 vegetable, yard, and wood wastes that are not hazardous waste.

6 (b) “Composting operation” or “composting facility” means an
7 operation or facility, that produces compost, including an entity
8 that produces compost aerobically and nonaerobically and an
9 operation or facility that utilizes anaerobic digestion.

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